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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,755	09/23/2003	Oliver F. Zarate	303.872US1	1786

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SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. BOX 2938
MINNEAPOLIS, MN 55402

EXAMINER

LUU, AN T

ART UNIT PAPER NUMBER

2816

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/668,755

Applicant(s)

ZARATE ET AL.

Examiner

An T. Luu

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-69 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 24-26, 38-40 and 57-69 is/are allowed.
- 6) ☒ Claim(s) 1, 8-10, 18, 23, 27, 33, 34, 41, 45, 49 and 53 is/are rejected.
- 7) ☒ Claim(s) 2-7, 11-17, 19-22, 28-32, 35-37, 42-44, 46-48, 50-52 and 54-56 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9-23-03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 8, 10-11, 18, 23, 27, 33-34, 41, 45, 49 and 53 are rejected under 35

U.S.C. 102(b) as being anticipated by the Iwamoto et al. reference (U.S. Patent 6,292,040).

Iwamoto discloses in figure 1 an apparatus comprising a signal selector circuit 20, which switches between providing an external clock signal (EXTCLK) or a feedback clock signal (output of delay line 2) as an input clock signal (DIN) to a delay line (2); the delay line, coupled to the signal selector circuit, which receives the input clock signal and generates an internal clock signal (INTCLK); and a feedback loop (as shown), coupled between an output of the delay line and an input of the signal selector circuit, which produces the feedback clock signal from the input clock signal as required by claim 1.

As to claim 8, figure 1 shows a phase detector circuit (6), which receives the input clock signal and the feedback clock signal, determines a phase difference between the input clock signal and the feedback clock signal, and generates a control signal (UP,DOWN) having a value that depends on the phase difference, and a shift register (4), coupled to the phase detector circuit, which receives the control signal, and provides a delay control signal (output of 4) to the delay line to control the delay line.

Art Unit: 2816

As to claim 10, the scope of claim is similar to that of claim 8. Therefore, it is rejected for the same reason set forth above.

As to claim 18, the scope of claim is similar to that of claim 1. Therefore, it is rejected for the same reason set forth above.

As to claim 23, the scope of claim is similar to that of claim 8. Therefore, it is rejected for the same reason set forth above.

As to claim 27, the scope of claim is similar to that of claim 1. Therefore, it is rejected for the same reason set forth above.

As to claim 33, the scope of claim is similar to that of claim 8. Therefore, it is rejected for the same reason set forth above.

As to claims 34 and 41, the scopes of claims are similar to that of claim 1. Therefore, they are rejected for the same reason set forth above. It is noted that the limitations “*an integrated circuit supported by the substrate*” and “*a plurality of memory cells*” are inherent since Iwamoto discloses in col. 1, lines 1-29, his circuitry fabricated in a semiconductor memory device.

As to claim 45, the scope of claim is similar to that of claim 34. Therefore, it is rejected for the same reason set forth above.

As to claim 49, the scope of claim is similar to that of claim 41. Therefore, it is rejected for the same reason set forth above.

As to claim 53, the scope of claim is similar to that of claim 41. Therefore, it is rejected for the same reason set forth above.

Art Unit: 2816

3. Claims 1 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by the Harlos et al reference (U.S. Patent 4,805,021).

Harlos discloses in figure 2 an apparatus comprising a signal selector circuit 23, which switches between providing an external clock signal (24) or a feedback clock signal (25) as an input clock signal (22) to a delay line (20); the delay line, coupled to the signal selector circuit, which receives the input clock signal and generates an internal clock signal (output of 20); and a feedback loop (26), coupled between an output of the delay line and an input of the signal selector circuit, which produces the feedback clock signal from the input clock signal as required by claim 1.

As to claim 9, figure 2 shows the feedback loop comprising a feed back delay circuit (27), which applies a delay to the internal clock signal and provides the feedback clock signal.

Allowable Subject Matter

4. Claims 24-26, 38-40, 57-69 are allowed.

5. Claims 2-7, 11-17, 19-22, 28-32, 35-37, 42-44, 46-48, 54-56 and 50-52 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record fails to disclose an apparatus and method thereof comprising elements being configured as recited in claim. Specifically, none of the prior art teaches or fairly suggests, among other things, a detailed structure of *“a signal selector circuit”* as required by claims 2-7, 11-17, 19-22, 28-32, 35-37, 42-44, 46-48, 50-52 and 54-56; *“the signal selector means provides*

Art Unit: 2816

the feedback clock signal as the input clock signal when a jitter in the external clock signal does not fall within an acceptable range of jitter values” as required by claim 24; and “comparing the external clock signal with the feedback clock signal to determine whether the external clock signal or the feedback signal is provided to the delay line based on whether a jitter in the external clock signal falls within an acceptable range of jitter values, and if the jitter does not fall within the acceptable range, providing the feedback clock signal to the delay line rather than providing the external clock signal to the delay line” as required by claims 38, 57, 60 and 63.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to An T. Luu whose telephone number is 571-272-1746. The examiner can normally be reached on 7:30-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2816

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

An T. Luu

10-21-04 *AR*



TIMOTHY P. CALLAHAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800